

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ADIBA TILLOEVA,
Plaintiff,**

v.

**PHILADELPHIA POLICE
DEPARTMENT, *et al.*,
Defendants.**

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Case No. 2:24-CV-6710-JDW

ORDER

AND NOW, this 25th day of February, 2025, upon consideration of Plaintiff Adiba Tilloeva's Motion to Proceed *In Forma Pauperis* (ECF No. 6), and for the reasons stated I the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED**.

It is **FURTHER ORDERED** that the Complaint (ECF No. 2) is **DEEMED** filed.

It is **FURTHER ORDERED** that, for the reasons stated in the accompanying Memorandum and pursuant to 28 U.S.C. § 1915(3)(2)(B)(ii), the Amended Complaint is **DISMISSED**, as follows:

a. Ms. Tilloeva's claims against the Philadelphia Police Department are **DISMISSED WITH PREJUDICE** for failure to state a claim; and

b. Ms. Tilloeva's due process claim against Officer, Badge No. 3670, is **DISMISSED WITH PREJUDICE** for failure to state a claim;

c. Ms. Tilloeva's equal protection claim against the Officer is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim; and

d. Ms. Tilloeva's state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

It is **FURTHER ORDERED** that Ms. Tilloeva may file an amended complaint as to the claims that I have dismissed without prejudice on or before March 28, 2025. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Ms. Tilloeva's claims against each defendant. The amended complaint must also provide as much identifying information for the defendants as possible, including the Defendant's first name, last name, and, where relevant, the Defendant's badge number. Ms. Tilloeva may refer to a defendant by last name only if that is the only identifying information possessed. If Ms. Tilloeva wishes to name individuals for whom she does not have any identifying information, she may refer to those individuals as John Doe #1, John Doe #2, etc., or by badge number. Without the name of at least one individual or entity, however, the Court may be unable to direct service of any amended complaint that Ms. Tilloeva may file. Physical descriptions of the Defendants may also serve as identifying information for John Doe Defendants. The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. \When drafting her amended complaint, Ms. Tilloeva should be mindful of the Court's reasons for dismissing the claims in her initial Complaint as explained in the Court's Memorandum.

Upon the filing of an amended complaint, the Clerk shall not make service until I so order.

It is **FURTHER ORDERED** that the Clerk of Court shall send Ms. Tilloeva a blank copy of the Court's form complaint for a non-prisoner filing a civil action bearing the above civil action number. Ms. Tilloeva may use this form to file his amended complaint if she chooses to do so. If Ms. Tilloeva does not wish to amend and instead intends to stand on her Amended Complaint as pled, she may file a notice with the Court on or before March 28, 2025, stating that intent, at which time the Court will issue a final order dismissing the case. Any such notice should be titled "Notice to Stand on Amended Complaint," and shall include the civil action number for this case.

If Ms. Tilloeva fails to file any response to this Order, I will conclude that Ms. Tilloeva intends to stand on her Amended Complaint and will issue a final order dismissing this case.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.